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****FILED****
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U.S. EPA - REGION IX

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
SAN FRANCISCO, CALIFORNIA

In the Matter of:)
)
) Docket No. FIFRA-09-2021-0073
OnTel Products Corporation,)
)
) CONSENT AGREEMENT AND FINAL
) ORDER PURSUANT TO
) 40 C.F.R. §§ 22.13 AND 22.18
_____Respondent.)

I. CONSENT AGREEMENT

The United States Environmental Protection Agency, Region IX (“EPA”), and OnTel Products Corporation (“Respondent”) agree to settle this matter and consent to the entry of this Consent Agreement and Final Order (“CAFO”), which simultaneously commences and concludes this matter in accordance with 40 C.F.R. §§ 22.13 and 22.18.

A. AUTHORITY AND PARTIES

1. This is a civil administrative action instituted pursuant to Section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (“FIFRA” or “the Act”), as amended, 7 U.S.C §§ 136 et seq., for the assessment of a civil administrative penalty against Respondent for violations of Section 12 of the Act.

2. Complainant is the Manager of the Toxics Section of the Enforcement and Compliance Assurance Division, EPA Region IX, who has been duly delegated the authority to bring this action and to sign a consent agreement settling this action.
3. Respondent is a New Jersey corporation that imported pesticidal products into the United States through the State of California.

B. APPLICABLE STATUTORY AND REGULATORY SECTIONS

4. Section 17(c) of FIFRA and regulations promulgated at 19 C.F.R. Part 12 pursuant to Section 17(e) of FIFRA by the Secretary of the Treasury in consultation with the EPA Administrator govern the importation of pesticides into the United States.
5. 19 C.F.R. § 12.111 provides that “[c]ertain imported pesticides are required to be registered under the provisions of section 3 of the Act . . . before being permitted entry into the United States. . . .”
6. 19 C.F.R. § 12.112 provides that “[a]n importer or the importer’s agent desiring to import pesticides or devices into the United States must submit to the Administrator, prior to the arrival of the shipment in the United States, a Notice of Arrival of Pesticides and Devices. . . .”
7. Section 2(s) of FIFRA, 7 U.S.C. § 136(s), defines a “person” as any individual, partnership, association, corporation, or any organized group of persons whether incorporated or not.
8. Section 2(a)(1) of FIFRA, 7 U.S.C. § 136(a)(1), defines “active ingredient” in the case of a pesticide, other than a plant regulator, defoliant, desiccant, or nitrogen stabilizer, as “an ingredient which will prevent, destroy, repel, or mitigate any pest.”

9. Section 2(t) of FIFRA, 7 U.S.C. § 136(t), defines a “pest” as “any insect, rodent, nematode, fungus, weed, or any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other micro-organism (except viruses, bacteria, or other living micro-organisms on or in living man or other living animals) which the Administrator declares to be a pest under Section 25(c)(1) of FIFRA, 7 U.S.C. § 136 w(c)(1).”
10. Section 2(u) of FIFRA, 7 U.S.C. § 136(u), defines a “pesticide,” in part, as “any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest.”
11. Section 2(h) of FIFRA, 7 U.S.C. § 136(h), defines a “device” as “any instrument or contrivance (other than a firearm) which is intended for trapping, destroying, repelling, or mitigating any pest or any other form of plant or animal life (other than man and other than bacteria, virus, or other microorganism on or in living man or other living animals); but not including equipment used for the application of pesticides when sold separately therefrom.”
12. 40 C.F.R. § 152.15 states, in pertinent part, that “a pesticide is any substance (or mixture of substances) intended for a pesticidal purpose...” and that “a substance is considered to be intended for a pesticidal purpose, and thus to be a pesticide requiring registration, if:
(a) The person who distributes or sells the substance claims, states, or implies (by labeling or otherwise) that: (1) the substance (either by itself or in combination with any other substance) can or should be used as a pesticide; or (2) the substance consists of or contains an active ingredient and that it can be used to manufacture a pesticide; or (b) The substance consists of or contains one or more active ingredients and has no significant commercially valuable use as distributed or sold other than (1) use for pesticidal purpose

(by itself or in combination with any other substance), (2) use for manufacture of a pesticide; or (c) The person who distributes or sells the substance has actual or constructive knowledge that the substance will be used, or is intended to be used, for a pesticidal purpose.”

13. Section 2(p)(1) of FIFRA, 7 U.S.C. § 136(p)(1), defines the term “label” as “the written, printed, or graphic matter on, or attached to, the pesticide or device or any of its containers or wrappers.” Section 2(p)(2)(A) of FIFRA, 7 U.S.C. § 136(p)(2)(A), defines the term “labeling” as “all labels and all other written, printed, or graphic matter...accompanying the pesticide or device at any time..”
14. Section 2(q)(1) of FIFRA, 7 U.S.C. § 136(q)(1), provides that a pesticide is “misbranded” if “(A) its labeling bears any statement, design, or graphic representation relative thereto or to its ingredients which is false or misleading in any particular...or (D) its label does not bear the registration number assigned under section 7 to each establishment in which it was produced.”
15. 40 C.F.R. § 152.500(b)(1) states, in pertinent part, that “a device is subject to the requirements set forth in FIFRA Section 2(q)(1) and 40 C.F.R. Part 156, with respect to labeling...”
16. 40 C.F.R. § 156.10(a)(5) states, in pertinent part, that “[p]ursuant to section 2(q)(1)(A) of the Act, a pesticide or a device declared subject to the Act pursuant to § 152.500, is misbranded if its labeling is false or misleading in any particular including both pesticidal and non-pesticidal claims. Examples of statements or representations in the labeling which constitute misbranding include: (ii) [a] false or misleading statement concerning the effectiveness of the product as a pesticide or device; (x) [n]on-numerical and/or

comparative statements on the safety of the product, including but not limited to, : (A) “Contains all natural ingredients;” (B) “Among the least toxic chemicals known;” and (C) “Pollution approved.”

17. Section 2(gg) of FIFRA, 7 U.S.C. § 136(gg), defines the term “distribute or sell” to mean “to distribute, sell, offer for sale, hold for distribution, hold for sale, hold for shipment, ship, deliver for shipment, release for shipment, or receive and (having so received) deliver or offer to deliver.”
18. Section 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A), provides that it shall be unlawful for any person to distribute or sell to any person a pesticide which is not registered with EPA under section 3 of FIFRA.
19. Section 12(a)(1)(E) of FIFRA, 7 U.S.C. § 136j(a)(1)(E), provides that it shall be unlawful for any person to distribute or sell to any person any pesticide which is adulterated or misbranded.
20. Section 12(a)(1)(F) of FIFRA, 7 U.S.C. § 136j(a)(1)(F), provides that it shall be unlawful for any person to distribute or sell to any person any device which is misbranded.
21. Section 12(a)(2)(N) of FIFRA, 7 U.S.C. § 136j(a)(2)(N), provides that it shall be unlawful for any person who is a registrant, wholesaler, dealer, retailer, or other distributor to fail to file reports required by this Act.
22. The Administrator of EPA may assess a civil penalty of up to \$20,528 against any registrant, commercial applicator, wholesaler, dealer, retailer, or other distributor who violates any provision of FIFRA for each offense that occurred after November 2, 2015. *See* Section 14(a)(1) of FIFRA, 7 U.S.C. § 136l(a)(1); 40 C.F.R. Part 19; and the Civil Monetary Penalty Inflation Adjustment Rule at 85 Fed. Reg. 83818 (December 23, 2020).

C. ALLEGATIONS

23. At all times relevant to this CAFO, Respondent was a corporation and therefore a "person" as defined in Section 2(s) of FIFRA, 7 U.S.C. § 136(s).
24. Respondent imported 27 shipments containing the products, Arctic Air Tower Evaporative Air Cooler ("Arctic Tower") and/or Arctic Air Pure Chill Evaporative Air Cooler ("Pure Chill") associated with the following Entry Dates and Entry Numbers that entered the United States at the Port of Los Angeles, California from China:

<u>Entry Date</u>	<u>Entry Number</u>	<u>Product(s)</u>
2/13/2021	178-0180654-2	Pure Chill
2/14/2021	178-0180814-2	Arctic Tower
2/16/2021	178-0180721-9	Arctic Tower
2/17/2021	178-0180661-7	Pure Chill
2/19/2021	178-0180073-5	Pure Chill
2/19/2021	178-0180611-2	Arctic Tower
2/20/2021	178-0180722-7	Pure Chill/Arctic Tower
2/21/2021	178-0180740-9	Arctic Tower
2/25/2021	178-0180764-9	Pure Chill/Arctic Tower
2/25/2021	178-0180738-3	Pure Chill/Arctic Tower
3/04/2021	178-0180889-4	Arctic Tower
3/07/2021	178-0180664-1	Arctic Tower
3/09/2021	178-0181013-0	Arctic Tower
3/09/2021	178-0181015-5	Pure Chill/Arctic Tower
3/10/2021	178-1081097-3	Pure Chill
3/14/2021	178-0181017-1	Arctic Tower
3/25/2021	178-0181110-4	Pure Chill
4/11/2021	178-0181448-8	Pure Chill
4/18/2021	178-0181509-7	Pure Chill

<u>Entry Date</u>	<u>Entry Number</u>	<u>Product(s)</u>
4/19/2021	178-0181517-0	Pure Chill
4/24/2021	178-0181489-2	Pure Chill
4/24/2021	178-0181402-5	Pure Chill
4/30/2021	178-0181793-7	Pure Chill
5/12/2021	178-0181513-9	Pure Chill
5/12/2021	178-0181515-4	Pure Chill
5/12/2021	178-0181514-7	Pure Chill
5/18/2021	178-0181777-0	Pure Chill

25. As the importer of the 27 shipments listed in Paragraph 24 and by doing business in the United States, Respondent is subject to the requirements of FIFRA and its implementing regulations.

26. The label on the packaging of “Arctic Tower” units in the 12 shipments listed in Paragraph 24 (Entry Numbers 178-0180814-2; 178-0180721-9; 178-0180611-2; 178-0180722-7; 178-0180740-9; 178-0180764-9; 178-0180738-3; 178-0180889-4; 178-0180664-1; 178-0181013-0; 178-0181015-5; and 178-0181017-1) contained the following language: “The nano-silver infused filter and UV light purify and help remove bacteria and allergens;” “Nano-Silver Evaporative Air Filter Cools, Humidifies & Purifies;” “Purifies as it cools;” and “Eco Friendly.”

27. The label on the packaging of “Pure Chill” units in 9 of the shipments listed in Paragraph 24 (Entry Numbers 178-0180654-2; 1780180661-7; 178-0180073-5; 178-0180722-7; 178-0180764-9; 178-0180738-3; 178-0181015-5; 178-0181017-1 and 178-0181110-4) contained the following language: “The Nano-Silver filter and UV light purify air and help remove bacteria & allergens;” “Nano-Silver Evaporative Air Filter Cools, Humidifies & Purifies Air;” “UV Light Purifies As It Cools;” and “Eco Friendly.”

28. Nano-silver is an “active ingredient” pursuant to Section 2(a)(1) of FIFRA, 7 U.S.C. § 136(a)(1).
29. Bacteria are “pests” pursuant to Section 2(t) of FIFRA, 7 U.S.C. § 136(t).
30. Based on their content of nano-silver and the claims on their labels, the “Arctic Tower” in the 12 shipments listed in Paragraphs 24 and 26 and the “Pure Chill” in 9 of the shipments listed in Paragraphs 24 and 27 are “pesticides” pursuant to Section 2(u) of FIFRA, 7 U.S.C. § 136(u), and 40 C.F.R. § 152.15.
31. Each of the 12 shipments of “Arctic Tower” listed in Paragraphs 24 and 26 and the 9 shipments of “Pure Chill” listed in Paragraphs 24 and 27 is a “distribution or sale” of the pesticides, “Arctic Tower” and “Pure Chill,” pursuant to Section 2(gg) of FIFRA, 7 U.S.C. § 136(gg).
32. The “Arctic Tower” in the 12 shipments listed in Paragraphs 24 and 26 and the “Pure Chill” in the 9 shipments listed in Paragraphs 24 and 27 are not registered with EPA under section 3 of FIFRA.
33. Consequently, Respondent’s importation of the 12 shipments of “Arctic Tower” listed in Paragraphs 24 and 26 and the 9 shipments of “Pure Chill” listed in Paragraphs 24 and 27 through the Port of Los Angeles, California constitutes 21 violations of Section 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A), which provides that it is unlawful for any person to distribute or sell to any person a pesticide which is not registered with EPA under section 3 of FIFRA.
34. The label on the packaging of “Arctic Tower” units in the 12 shipments listed in Paragraphs 24 and 26 implies that the “Arctic Tower” contains a UV light and claims that “Arctic Tower” is “Eco Friendly.”

35. The “Arctic Tower” units in the 12 shipments listed in Paragraphs 24 and 26 do not contain a UV light.
36. Based on the implication in its label that the “Arctic Tower” contains a UV light and the claim that “Arctic Tower” is “Eco Friendly,” the “Arctic Tower” in the 12 shipments listed in Paragraphs 24 and 26 is “misbranded” pursuant to Section 2(q)(1)(A) of FIFRA, 7 U.S.C. § 136(q)(1)(A), and 40 C.F.R. § 156.10(a)(5).
37. Consequently, Respondent’s importation of the 12 shipments of “Arctic Tower” listed in Paragraphs 24 and 26 through the Port of Los Angeles, California constitutes 12 violations of Section 12(a)(1)(E) of FIFRA, 7 U.S.C. § 136j(a)(1)(E), which provides that it is unlawful for any person to distribute or sell to any person a pesticide which is adulterated or misbranded.
38. The label on the packaging of “Pure Chill” units in the 10 remaining shipments of “Pure Chill” listed in Paragraph 24 (Entry Numbers 178-0181448-8; 178-0181509-7; 178-0181517-0; 178-0181489-2; 178-0181402-5; 178-0181793-7; 178-0181514-7; 178-0181515-4; 178-0181513-9; and 178-0181777-0) contained the following language: “UV Light Built-In;” helps “Purify” “Based on independent testing resulting in a 50% Escherichia Coli, 53.59% Staphylococcus Aureus, and 50.79% Salmonella Typhimurium average removal rate from water tank;” “Enjoy Cool, Cleaner* Air...” “Based on independent testing resulting in 15.09% particulate removal rate” and “Eco Friendly.”
39. Based on their content of a UV light and the claims on their labels, the “Pure Chill” units in the 10 remaining shipments of “Pure Chill” listed in Paragraphs 24 and 38 are “devices” pursuant to Section 2(h) of FIFRA, 7 U.S.C. § 136(h).

40. The label on the packaging of “Pure Chill” units in the 10 remaining shipments of “Pure Chill” listed in Paragraphs 24 and 38 did not bear a registration number assigned under section 7 to the establishment in which they were produced.
41. Based on their lack of an establishment registration number and the claim that “Pure Chill” is “Eco Friendly” on the label, the “Pure Chill” units in the 10 remaining shipments of “Pure Chill” listed in Paragraphs 24 and 38 were “misbranded” pursuant to Sections 2(q)(1)(A) and (D) of FIFRA, 7 U.S.C. §§ 136(q)(1)(A) and (D), 40 C.F.R. § 152.500(b)(1) and 40 C.F.R. § 156.10(a)(5).
42. Each of the 10 shipments of “Pure Chill” listed in Paragraphs 24 and 38 is a “distribution or sale” of the device, “Pure Chill,” pursuant to Section 2(gg) of FIFRA, 7 U.S.C. § 136(gg).
43. Consequently, Respondent’s importation of the 10 shipments of “Pure Chill” listed in Paragraphs 24 and 38 through the Port of Los Angeles, California constitutes 10 violations of Section 12(a)(1)(F) of FIFRA, 7 U.S.C. § 136j(a)(1)(F), which provides that it is unlawful for any person to distribute or sell to any person a device which is misbranded.
44. Respondent also failed to file a Notice of Arrival of Pesticides and Devices with EPA for each of the 12 shipments of “Arctic Tower” and each of the 19 shipments of “Pure Chill” associated with the Entry Numbers and Dates of Entry listed in Paragraph 24, as required by 19 C.F.R. §12.112.
45. Respondent’s failure to file a Notice of Arrival of Pesticides and Devices with EPA for each of the 12 shipments of “Arctic Tower” and each of the 19 shipments of “Pure Chill” associated with the Entry Numbers and Dates of Entry listed in Paragraph 24

constitutes 31 violations of Section 12(a)(2)(N) of FIFRA, 7 U.S.C. § 136j(a)(2)(N), which provides that it is unlawful for any person who is a registrant, wholesaler, dealer, retailer, or other distributor to fail to file reports required by FIFRA.

D. RESPONDENT'S ADMISSIONS

46. In accordance with 40 C.F.R. § 22.18(b)(2) and for the purpose of this proceeding, Respondent (i) admits that EPA has jurisdiction over the subject matter of this CAFO and over Respondent; (ii) neither admits nor denies the specific factual allegations contained in the CAFO; (iii) consents to any and all conditions specified in this CAFO and to the assessment of the civil administrative penalty under Section I.E of this CAFO; (iv) waives any right to contest the allegations contained in Section I.C of the CAFO; and (v) waives the right to appeal the proposed final order contained in this CAFO.

E. CIVIL ADMINISTRATIVE PENALTY

47. Respondent agrees to the assessment of a penalty in the amount of SIX HUNDRED, THIRTY-EIGHT THOUSAND, SIX HUNDRED AND TWENTY-FOUR DOLLARS (\$638,624) as final settlement of the civil claims against Respondent arising under the Act as alleged in Section I.C of the CAFO.
48. Respondent shall pay the assessed penalty no later than thirty (30) days from the effective date of this CAFO. Payment shall be made (including the name and docket number of this case) payable to the "Treasurer, United States of America," by one of the methods listed below:
- a. Wire Transfers:
- Wire transfers must be sent directly to the Federal Reserve Bank in New York City with the following information:

Federal Reserve Bank of New York
ABA = 021030004
Account = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045

Field Tag 4200 of the Fedwire message should read "D 68010727
Environmental Protection Agency."

b. ACH (also known as REX or remittance express):

US Treasury REX/Cashlink ACH Receiver
ABA = 051036706
Account 310006, Environmental Protection Agency
CTX Format Transaction Code 22 — checking
Physical location of US Treasury Facility
5700 Rivertech Court
Rivertech, MD 20737
Remittance Express (REX): 1-866-234-5681

c. On-Line Payment:

This payment option can be accessed from the information below:

www.pay.gov
Enter "sfo 1.1" in the search field
Open form and complete required fields

If any clarification regarding a particular method of payment remittance is needed,
please contact the EPA Cincinnati Finance Center at 513-487-2091. Concurrent with
payment of the penalty, Respondent shall send a PDF copy of the notification that the
payment has been made by one of the methods listed above, including proof of the date
payment was made, to the following email addresses:

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region IX
RegionalHearingClerk@epa.gov

Ashley Mrzljak
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region IX
Mrzljak.Ashley@epa.gov

49. Payment of the above civil administrative penalty shall not be used by Respondent or any other person as a tax deduction from Respondent's federal, state, or local taxes.
50. If Respondent fails to pay the assessed civil administrative penalty as specified in Paragraph 47, then Respondent shall pay to EPA the stipulated penalty of ONE THOUSAND DOLLARS (\$1,000.00) for each day the default continues, in addition to the assessed penalty upon written demand by EPA. In addition, failure to pay the civil administrative penalty by the deadline specified in Paragraph 48 may lead to any or all of the following actions:
 - a. The debt being referred to a credit reporting agency, a collection agency, or to the Department of Justice for filing of a collection action in the appropriate United States District Court. 40 C.F.R. §§ 13.13, 13.14, and 13.33. In any such collection action, the validity, amount, and appropriateness of the assessed penalty and of this CAFO shall not be subject to review.
 - b. The debt being collected by administrative offset (i.e., the withholding of money payable by the United States to, or held by the United States for, a person to satisfy the debt the person owes the Government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds. 40 C.F.R. Part 13, Subparts C and H.
 - c. EPA may (i) suspend or revoke Respondent's licenses or other privileges; or (ii) suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds. 40 C.F.R. § 13.17.

d. In accordance with the Debt Collection Act of 1982 and 40 C.F.R. Part 13 interest, penalties charges, and administrative costs will be assessed against the outstanding amount that Respondent owes to EPA for Respondent's failure to pay the civil administrative penalty by the deadline specified in Paragraph 48. Interest will be assessed at an annual rate that is equal to the rate of current value of funds to the United States Treasury (i.e., the Treasury tax and loan account rate) as prescribed and published by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. 40 C.F.R. § 13.11(a)(1). Penalty charges will be assessed monthly at a rate of 6% per annum. 40 C.F.R. § 13.11(c). Administrative costs for handling and collecting Respondent's overdue debt will be based on either actual or average cost incurred and will include both direct and indirect costs. 40 C.F.R. § 13.11(b). In addition, if this matter is referred to another department or agency (e.g., the Department of Justice, the Internal Revenue Service), that department or agency may assess its own administrative costs, in addition to EPA's administrative costs, for handling and collecting Respondent's overdue debt.

F. CERTIFICATION OF COMPLIANCE

51. In executing this CAFO, Respondent certifies that, to the best of its knowledge, it is currently in compliance with any and all FIFRA requirements that apply to its ongoing operations.

G. RETENTION OF RIGHTS

52. In accordance with 40 C.F.R. § 22.18(c), this CAFO only resolves Respondent's liability for federal civil penalties for the violations and facts specifically alleged in Section I.C of

the CAFO. Nothing in this CAFO is intended to or shall be construed to resolve (i) any civil liability for violations of any provision of any federal, state, or local law, statute, regulation, rule, ordinance, or permit not specifically alleged in Section I.C of the CAFO; or (ii) any criminal liability. EPA specifically reserves any and all authorities, rights, and remedies available to it (including, but not limited to, injunctive or other equitable relief or criminal sanctions) to address any violation of this CAFO or any violation not specifically alleged in Section I.C of the CAFO.

53. This CAFO does not exempt, relieve, modify, or affect in any way Respondent's duty to comply with all applicable federal, state, and local laws, regulations, rules, ordinances, and permits.

H. ATTORNEY'S FEES AND COSTS

54. Each party shall bear its own attorneys' fees, costs, and disbursements incurred in this proceeding.

I. EFFECTIVE DATE

55. In accordance with 40 C.F.R. §§ 22.18(b)(3) and 22.31(b), this CAFO shall be effective on the date that the final order contained in this CAFO, having been approved and issued by either the Regional Judicial Officer or Regional Administrator, is filed.

J. BINDING EFFECT

56. The undersigned representative of Complainant and the undersigned representative of Respondent each certifies that he or she is fully authorized to enter into the terms and conditions of this CAFO and to bind the party he or she represents to this CAFO.

57. The provisions of this CAFO shall apply to and be binding upon Respondent and its officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assigns.

FOR RESPONDENT, ONTEL PRODUCTS CORPORATION

9/15/2021
DATE



Mike Wade
Chief Operating Officer
OnTel Products Corporation

FOR COMPLAINANT, EPA REGION IX:

9/20/2021
DATE

MATTHEW SALAZAR

Matt Salazar, P.E.
Manager
Toxics Section
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region IX

Digitally signed by MATTHEW SALAZAR
Date: 2021.09.20 11:18:19 -07'00'


II. FINAL ORDER

Complainant and Respondent, OnTel Products Corporation, having entered into the foregoing Consent Agreement,

IT IS HEREBY ORDERED that this CAFO (Docket No. FIFRA-09-2021-0073) be entered and that Respondent shall pay a civil administrative penalty in the amount of SIX HUNDRED, THIRTY-EIGHT THOUSAND, SIX HUNDRED AND TWENTY-FOUR DOLLARS (\$638,624) and comply with the terms and conditions set forth in the Consent Agreement.

September 22, 2021

DATE



A handwritten signature in black ink, appearing to read 'Beatrice Wong', is written over a horizontal line.

Beatrice Wong
Regional Judicial Officer
U.S. Environmental Protection Agency, Region IX

CERTIFICATE OF SERVICE

This is to certify that a Consent Agreement and Final Order in the matter of *OnTel Products Corporation* (FIFRA-09-2021-0073) was filed with the Regional Hearing Clerk and that a true and correct copy of the same was sent to the following parties:

FOR RESPONDENT: Via Electronic Mail

Mike Wade
Chief Operating Officer
OnTel Products Corporation
wade@ontel.com

Caroline Kinsey, Esq.
General Counsel & Vice President
Ontel Products Corporation
Ckinsey@ontel.com

Karen Ellis Carr, Esq.
Attorney
Arent Fox LLP
Karen.Carr@arentfox.com

FOR COMPLAINANT: Via Electronic Mail

Carol Bussey, Esq.
Assistant Regional Counsel
U.S. EPA, Region IX
Bussey.Carol@epa.gov

Date: _____

Steven Armsey
Regional Hearing Clerk
EPA - Region IX